

## APPLICATION FOR ALTERNATIVE OYSTER CULTURE PERMIT

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

New Orleans, Louisiana

Name of Applicant: \_\_\_\_\_ JULES C. MELANCON \_\_\_\_\_

Address of Applicant: \_\_\_\_\_ P.O. BOX 198 \_\_\_\_\_

\_\_\_\_\_ GRAND ISLE, LA 70358 \_\_\_\_\_

Com Fish Lic: \_\_\_\_\_ 015089 \_\_\_\_\_ Harvester Lic: \_\_\_\_\_ 296759 \_\_\_\_\_

Contractors Lic: \_\_\_\_\_ 28202 \_\_\_\_\_ Surety Bond: \_\_\_\_\_ 3380689 \_\_\_\_\_

Transferred Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Name: \_\_\_\_\_

Address: \_\_\_\_\_

Transferred Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Name: \_\_\_\_\_

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Transferred Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Name: \_\_\_\_\_

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Comments: \_\_\_\_\_

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The undersigned herewith applies for a permit to conduct alternative oyster culture activity for a period of ten (10) years from the acceptance of this application and issuance of the completed permit, an annual rental fee of Two and No/100 Dollars (\$2.00) per acre payable upon receipt of the completed agreement and thereafter annually on or before the first day of January until the termination of the permit or lease containing 16 acres, more or less of water bottoms, located in the parish of JEFFERSON and more particularly described as follows:

BARATARIA BAY

An application fee \$100.00 dollars is paid herewith.

The undersigned prays that this application be registered, that a permit be issued to Applicant, which permit, issued by the Louisiana Department of Wildlife and Fisheries, will be considered as an acceptance of this application and a completion and execution of the contract.

This application is made and the permit is to be issued subject to the provisions of Louisiana Revised Statutes of 1950, Title 56, Sections 421-449, and of the rules and regulations of the said Department, specifically including but limited to Louisiana Revised Statute 56:431.2 and Louisiana Administrative Code 76:VII.535, and Applicant hereby agrees to pay said Department for services in connection herewith in accordance with the scale of charges printed and herein mentioned.

The undersigned certifies that Applicant is qualified under law to receive the requested permit to conduct alternative oyster culture; and that Applicant has taken cognizance of the statutes, rules, and regulations identified herein and makes them a part of this application.

The undersigned further certifies that:

- a. If Applicant is not a natural person, the person signing this application is duly authorized to do so on behalf of Applicant.
- b. Applicant is the holder of State of Louisiana oyster lease number 2673713 covering state water bottoms; and that this is the lease upon which Applicant seeks a permit to conduct alternative oyster culture activities.
- c. The alternative oyster culture activities that Applicant seeks to conduct are:
  - 400 On-bottom cages, 0 racks, or 0 bags
  - 0 Off-bottom cages, 0 racks, or 0 bags,
  - 54 suspended by poles or floats 25 String or longline cultureOther. Describe:  

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d. Applicant has not been convicted of or pled guilty to a class 4 or greater oyster-related violation, as defined in the laws pertaining to wildlife and fisheries, within three years prior to the submission of the application.

e. A cost estimate to remove and properly dispose of all equipment, facilities and other items sought sought to be permitted, prepared by a contractor that has a valid Louisiana Commercial Contractor License for the classification of Heavy Construction or Coastal Restoration and Habitat Enhancement, and has no familial or business relationship with the applicant has been supplied and approved by the Louisiana Department of Wildlife and Fisheries.

f. All other local, state, and federal permits necessary for the activity sought to be permitted, or documentation from the relevant agencies establishing that such permits are unnecessary, specifically including:

- 1. State coastal use permit (R.S. 49:214.30).
- 2. Federal obstruction to navigation section 10 (33 U.S.C. §403 and/or section 9 (33 U.S.C. §401) permit.
- 3. Clean Water Act section 404 fill permit (33 U.S.C. §1344).
- 4. State water quality certification (33 U.S.C. §1341).
- 5. Any other permit or authorization that may be required by a state or federal agency for the AOC activity.

Name:  Telephone No. Quadrangle: 35 (504) 628-1913

Address: P.O. BOX 198  
GRAND ISLE, LA 70358

Lebro Construction, Inc.  
129 Carruth Cemetary Lane  
Greensburg, La 70441.

May 18, 2016

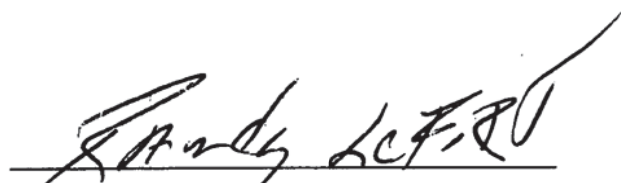
State License: 28202

Jules C. Melancon  
Oyster Farmer  
P.O. Box 198  
Grand Isle, La 70358

Mr. Melacon,

The following quoted price of fifteen thousand (\$15,000) is for the labor and removal of a longline oyster farm. Based on the information that you have provided, I understand that this farm consists of four hundred (400) cages and other infrastructure and it is located near Grand Isle, in Barataria Bay.

Regards,

  
Randy Lefort





**DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF COASTAL MANAGEMENT**

P.O. BOX 44487  
BATON ROUGE, LOUISIANA 70804-4487  
(225)342-7591  
1-800-267-4019

**COASTAL USE PERMIT/CONSISTENCY DETERMINATION**

**C.U.P. No.:** P20151037 (Amended)

**C.O.E. No.:** MVN 2015- 2338 ES

**NAME:** MELANCON, JULES C.  
P.O. BOX 198  
GRAND ISLE, LA 70358  
Attn: Jules C. Melancon

**LOCATION:** Jefferson Parish, LA  
Lat. 29-18-07 N / Long. 89-56-06 W (see plats for additional coordinates); approximately 2 miles north of Grand Isle in Barataria Bay.

**DESCRIPTION:** Proposed commercial oyster farm using on-bottom cages in an existing oyster lease area. The site will be marked by four lighted buoys and enclosed to navigation by 163 two foot PVC pylons. The oyster farm will be composed of up to 400 wire-mesh cages, each marked with an individual float line and a steel ID tag. Cages to be off loaded and retrieved via flat boat; no dredge or fill required for the proposed work.

**AMENDMENT 1:** Amendment to reduce the number of oyster cages from 800 to 400.

**This amended permit supersedes the original permit which was issued December 28, 2015.**

In accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections 214.21 to 214.41, the State and Local Coastal Resources Management Act of 1978, as amended, the permittee agrees to:

1. Carry out, perform, and/or operate the use in accordance with the permit conditions, plans and specifications approved by the Department of Natural Resources.
2. Comply with any permit conditions imposed by the Department of Natural Resources.
3. Adjust, alter or remove any structure or other physical evidence of the permitted use if, in the opinion of the Department of Natural Resources, it proves to be beyond the scope of the use as approved or is abandoned.
4. Provide, if required by the Department of Natural Resources, an acceptable surety bond in an appropriate amount to ensure adjustment, alteration, or removal should the Department of Natural Resources determine it necessary.
5. Hold and save the State of Louisiana, the local government, the department, and their officers and employees harmless from any damage to persons or property which might result from the use, including the work, activity, or structure permitted.
6. Certify that the use has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved by the Department of Natural Resources. The Department of Natural Resources may, when appropriate, require such certification to be given by a registered professional engineer.
7. All terms of the permit shall be subject to all applicable federal and state laws and regulations.
8. This amended permit, or a copy thereof, shall be available for inspection at the site of work at all times during operations.
9. The applicant will notify the Office of Coastal Management of the date on which initiation of the permitted activity described under the "Coastal Use Description" began. The applicant shall notify the Office of Coastal Management by entering a commencement date through the online system, or by mailing said information to OCM.
10. Unless specified elsewhere in this amended permit, this amended permit authorizes the initiation of the coastal use described under "Coastal Use Description" for two (2) years from the date of the signature of the Secretary or his designee on the original permit which was December 28, 2015. If the coastal use is not initiated within this two (2) year period, then this amended permit will expire and the applicant will be required to submit a new application. Initiation of the coastal use, for the purposes of this permit, means the actual physical beginning of the use of activity for which the permit is required. Initiation does not include preparatory activities, such as movement of equipment onto the coastal use site, expenditure of funds, contracting out of work, or performing activities which by themselves do not require a permit. In addition, the permittee must, in good faith, and with due diligence, reasonably progress toward completion of the project once the coastal use has been initiated.
11. The following special conditions must also be met in order for the use to meet the guidelines of the Coastal Resources Program:
  - a. This amended permit does not convey any property rights, mineral rights, or exclusive privileges; nor does it authorize injury to property.



- b. The water bottom shall not be disturbed during access to the proposed work location, other than that authorized and shown on the attached project plats, whether it be by dredging, wheel washing, propwashing, jetting, mucking, plowing, bull dozing or any other means of moving bottom material. Powered vessels shall be operated so as not to disturb the water bottom by propeller or jet action.
- c. That permittee shall insure that any habitable structure (i.e. home, camp, trailer, etc.) existing at the site (or subsequently anticipated as a result of these property improvements) has been provided (or shall be appropriately provided, upon such structure siting) with an individual-type domestic waste disposal system (i.e. septic tank, oxidation pond, mechanical plant, etc.) for which local health unit approval shall have been secured, as is required by the State Sanitary Code. Should such not have been accomplished, it will be necessary for Permittee to contact those appropriate personnel of the local governing health unit in order that such be accomplished.
- d. The area where the project is located is all part of the aboriginal homelands of the Chitimacha Tribe of Louisiana. As such, large villages, burial sites, and sacred sites were in place in that entire area. If at any time during the course of the work, any traditional cultural properties are discovered, Permittee shall immediately contact Kimberly S. Walden (Cultural Director) or Melanie Aymond (Research Coordinator) at (337) 923-9923 or (337) 923-4395. Office hours are Monday through Thursday from 7:30 A.M. - 5:00 P.M. and on Friday between 7:30 A.M. - 11:30 A.M. If traditional cultural properties are discovered on the weekend or after business hours, the notification shall be made the next business morning.
- e. All structures built under the authorization and conditions of this permit shall be removed from the site within 120 days of abandonment of the facilities for the herein permitted use, or when these structures fall into a state of disrepair such that they can no longer function as intended. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.
- f. Structures must be marked/lighted in accordance with U. S. Coast Guard regulations.
- g. Applicant shall not discharge any drilling and/or workover effluent except for flocculated filtered water.  
  
Applicant shall not discharge any human waste which does not meet or exceed the requirements of the Department of Health and Hospitals.  
  
Applicant shall not discharge any produced waters.  
  
Applicant is subject to all applicable state laws related to damages which are demonstrated to have been caused by this proposed action.  
  
Applicant shall use any dredged material beneficially to create/restore emergent wetlands or place the material in open water in such a manner not to decrease the water depth greater than six inches.  
  
Applicant shall provide to the LDWF a water bottom assessment (unless waived by LDWF) that meets LDWF protocol prior to commencement of the activity. A waiver request must be submitted to LDWF in writing and must state the justification for the request. Applicant may, at the request of LDWF and prior written approval of OCM, be required to modify the project if the proposed location unnecessarily impacts oyster reefs.
- h. No impacts to rare, threatened or endangered species or critical habitats are anticipated from the proposed project. No state or federal parks, wildlife refuges, wildlife management areas or scenic rivers are known at the specified site or within ¼ mile of the proposed project.

The Louisiana Natural Heritage Program (LNHP) has compiled data on rare, endangered, or otherwise significant plant and animal species, plant communities, and other natural features throughout the State of Louisiana. LNHP reports



summarize the existing information known at the time of the request regarding the location in question. LNHP reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. If at any time LNHP tracked species are encountered within the project area, please contact our biologist at 225-765-2643.

- i. Permittee is subject to all applicable state laws related to damages which are demonstrated to have been caused by this action.
- j. Permittee shall allow representatives of the Office of Coastal Management or authorized agents to make periodic, unannounced inspections to assure the activity being performed is in accordance with the conditions of this permit.
- k. Permittee shall comply with all applicable state laws regarding the need to contact the Louisiana One Call (LOC) system (1-800-272-3020) to locate any buried cables and pipelines.
- l. This amended permit authorizes the initiation of the Coastal Use described under "Coastal Use Description" for two (2) years from the date of the signature of the Secretary or his designee on the original permit which was December 28, 2015. Initiation of the Coastal Use, for purposes of this amended permit, means the actual physical beginning of the use or activity for which the permit is required. Initiation does not include preparatory activities, such as movement of equipment onto the Coastal Use site, expenditure of funds, contracting out of work, or performing activities which by themselves do not require a permit. In addition, Permittee must, in good faith and with due diligence, reasonably progress toward completion of the project once the Coastal Use has been initiated. If the Coastal Use is not initiated within this two (2) year period, an extension may be granted pursuant to the requirements contained in the Rules and Procedures for Coastal Use Permits (Title 43:I.723.D.). Please note that a request for permit extension MUST be made no sooner than one hundred eighty (180) days and no later than sixty (60) days prior to the expiration of the permit.

The expiration date of this amended permit is five (5) years from the date of the signature of the Secretary or his designee on the original permit which was December 28, 2015. If the Coastal Use is not completed within this five (5) year period, an extension may be granted pursuant to the requirements contained in the Rules and Procedures for Coastal Use Permits (LAC 43:I.723(D)).

Upon expiration of this amended permit, a new Coastal Use Permit will be required for completion of any unfinished or uncommenced work items and for any maintenance activities involving dredging or fill that may become necessary. Other types of maintenance activities may also require a new Coastal Use Permit.

- m. This determination does not eliminate the need to obtain a permit from the United States Army, Corps of Engineers or any other Federal, state or local approval that may be required by law. The drawings submitted with your referenced application are attached hereto and made a part of the record.

\*\*\*\*\* End of Conditions \*\*\*\*\*



By accepting this amended permit the applicant agrees to its terms and conditions.

I affix my signature and issue this amended permit this 23rd day of May, 2016.

THE DEPARTMENT OF NATURAL RESOURCES

Karl L. Morgan, Administrator  
Office of Coastal Management

This agreement becomes binding when signed by Administrator of  
the Office of Coastal Management Permits/Mitigation Division, Department of Natural Resources.

Attachments



**Final Plats:**

1) P20151037 Final Plats 05/20/2016

cc: Martin Mayer, COE w/attachments  
Dave Butler, LDWF w/attachments  
Les Rosso, State Land w/attachments  
Jessica Diez, OCM w/attachments  
Frank Cole, OCM/FI w/attachments  
Jefferson Parish w/attachments





REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

FEB 19 2016

Operations Division  
Eastern Evaluation Section

SUBJECT: MVN-2015-02338-ES

Jules C. Melancon  
Post Office Box 198  
Grand Isle, Louisiana 70358

Dear Mr. Melancon,

Enclosed is a permit dated this date, subject as above, authorizing work under the Department of the Army permit program.

You are again reminded that any work not in accordance with the approved plans is subject to removal regardless of the expense and the inconvenience that such removal may involve and regardless of the date when the discrepancy is discovered.

Your attention is directed to all the terms and conditions of the approval. In order to have the work approved in accordance with the issued permit, all terms and conditions of the permit and plans shown on the drawings attached thereto must be rigidly adhered to.

It is necessary that you notify the District Engineer, Attention: Eastern Evaluation Section, in writing, prior to commencement of work and also upon its completion. The notification must include the permittee's name, as shown on the permit, and the permit number. Please note the expiration date on the permit. Should the project not be completed by that date, you may request a permit time extension. Such requests must be received before, but no sooner than six months before, the permit expiration date and must show the work completed and the reason the project was not finished within the time period granted by the permit.

A copy of Page 1 of the permit (ENG Form 1721) must be conspicuously displayed at the project site. Also, you must keep a copy of the signed permit at the project site until the work is completed.

Sincerely,

Michael V. Farabee  
Chief, Eastern Evaluation Section

Enclosures

FEB 19 2016

## DEPARTMENT OF THE ARMY PERMIT

Permittee: Jules Melancon

Permit No.: MVN-2015-2338-ES

Issuing Office: New Orleans District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**PROJECT DESCRIPTION:** Install and maintain approximately 800 on-bottom wire mesh oyster cages for oyster production in accordance with the drawings attached in eight sheets, undated.

**PROJECT LOCATION:** In Barataria Bay, 2 miles north of Grand Isle, Louisiana in Jefferson Parish.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **January 31, 2021**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.



5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions: Page 4**

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

☒ Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

☐ Section 404 of the Clean Water Act (33 U.S.C. 1344).

☐ Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

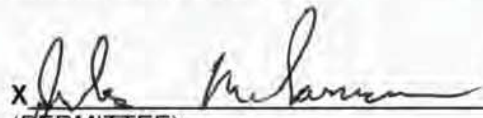
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

x   
(PERMITTEE)

x 2-10-16  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



February 19, 2016  
(DATE)

Michael V. Farabee, Chief Eastern Evaluation Section

for Richard L. Hansen, District Commander

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEE)

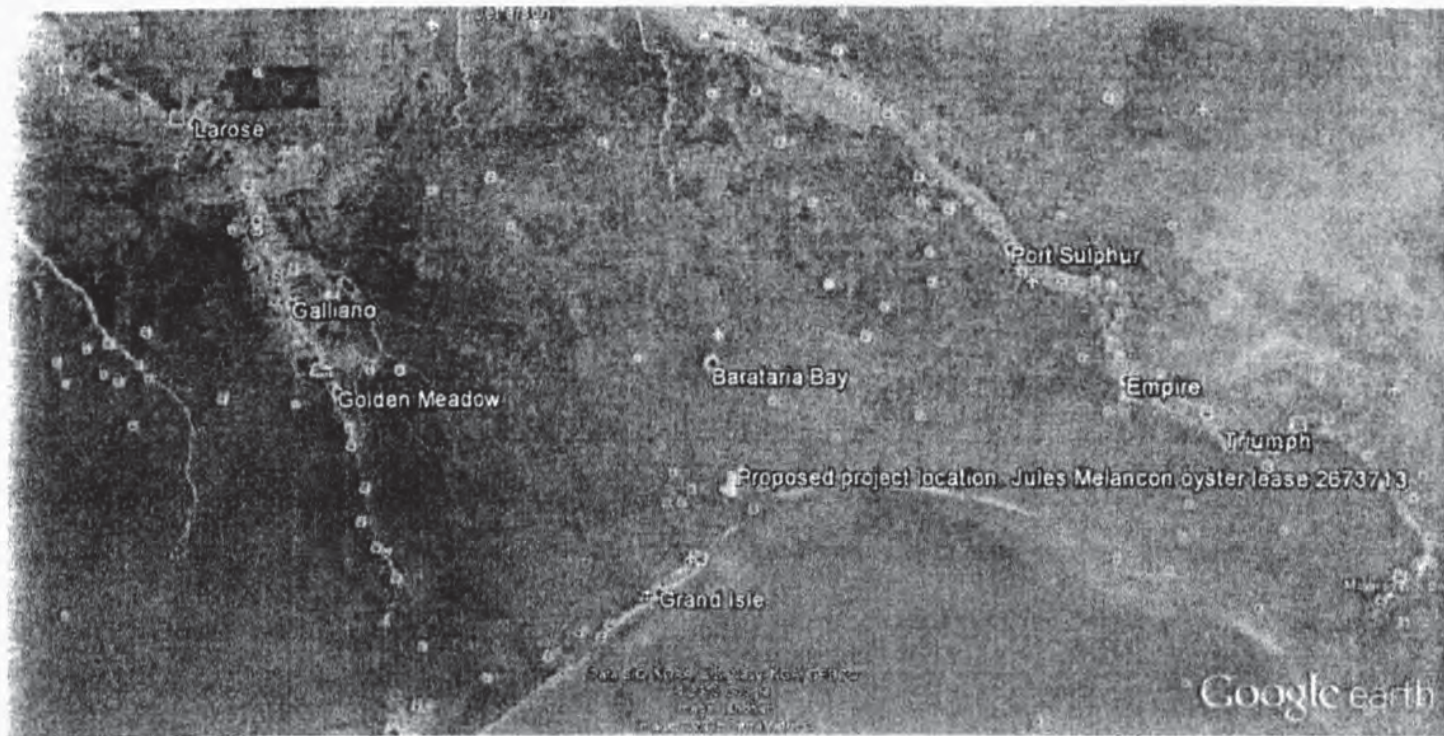
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(DATE)



### **Special Conditions for MVN-2015-02338-ES**

7. The permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
8. The permittee must install and maintain, at the permittee's expense, any safety lights, signs, and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on the permittee's authorized facilities.
9. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
10. Permittee must comply with the enclosed: "Standard Manatee Conditions for In-Water Activities".





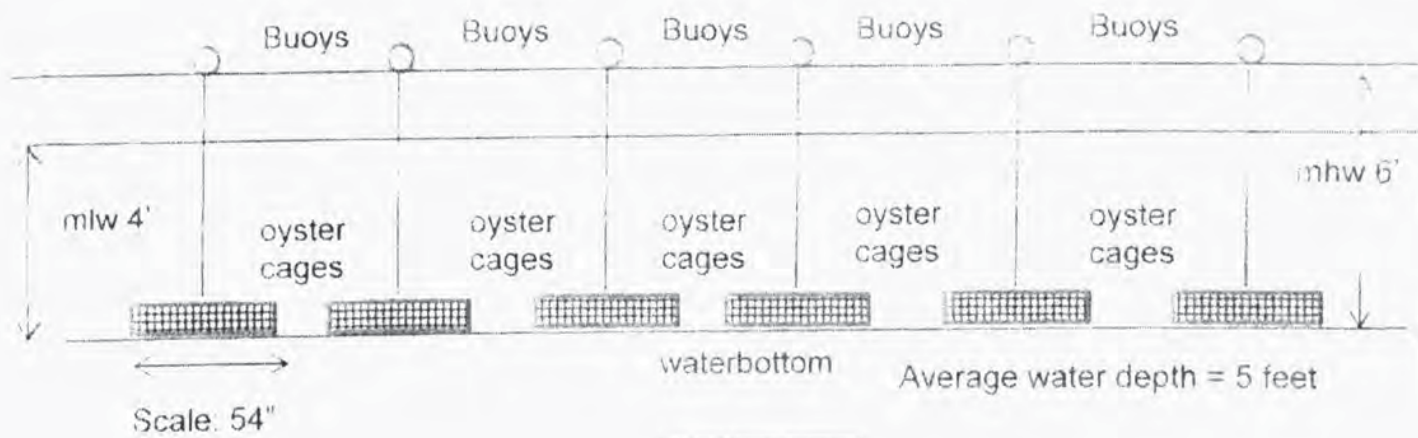
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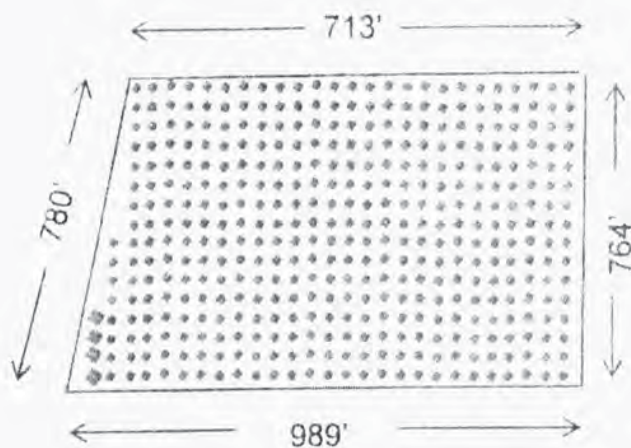
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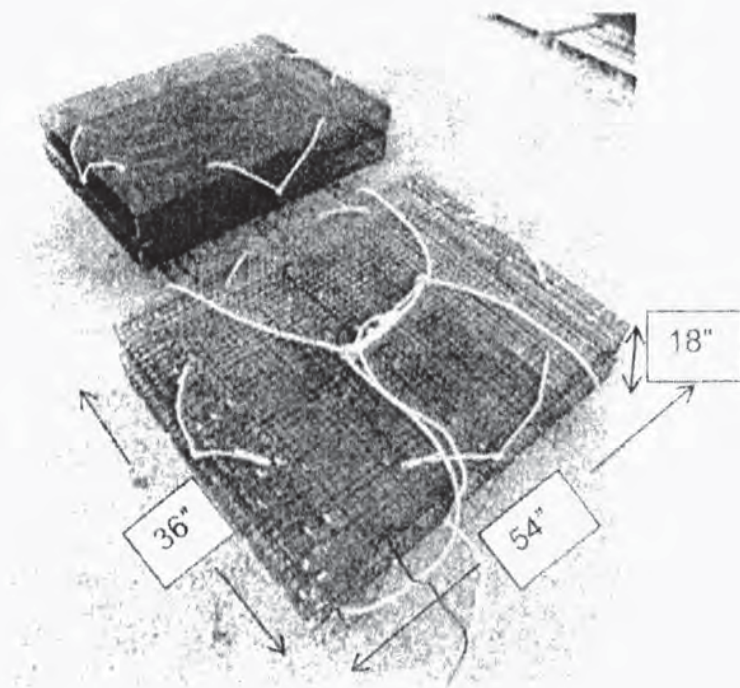


Cross  
Section  
View



Plan View of AOC area of existing  
oyster lease with lines of deployed  
cages.

Total Number of cages = 800



Two-tiered oyster cage made of 1" square PVC-coated wire mesh with guy ropes for lifting and shock cord for closures and  $\frac{1}{2}$ " rope handline with buoy.

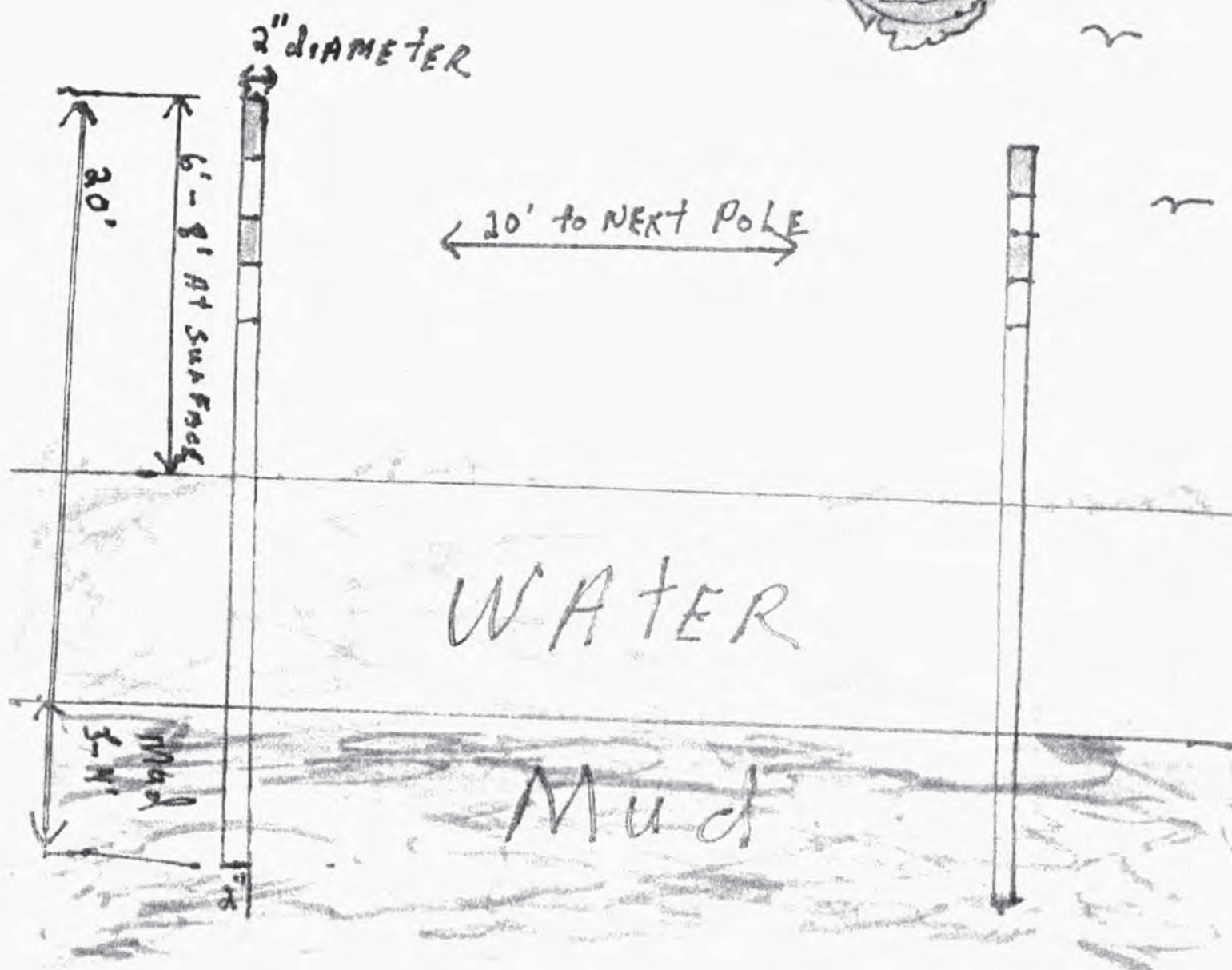
5-STEEL TAG  
WITH I.D. NO.



P. 2015-1037

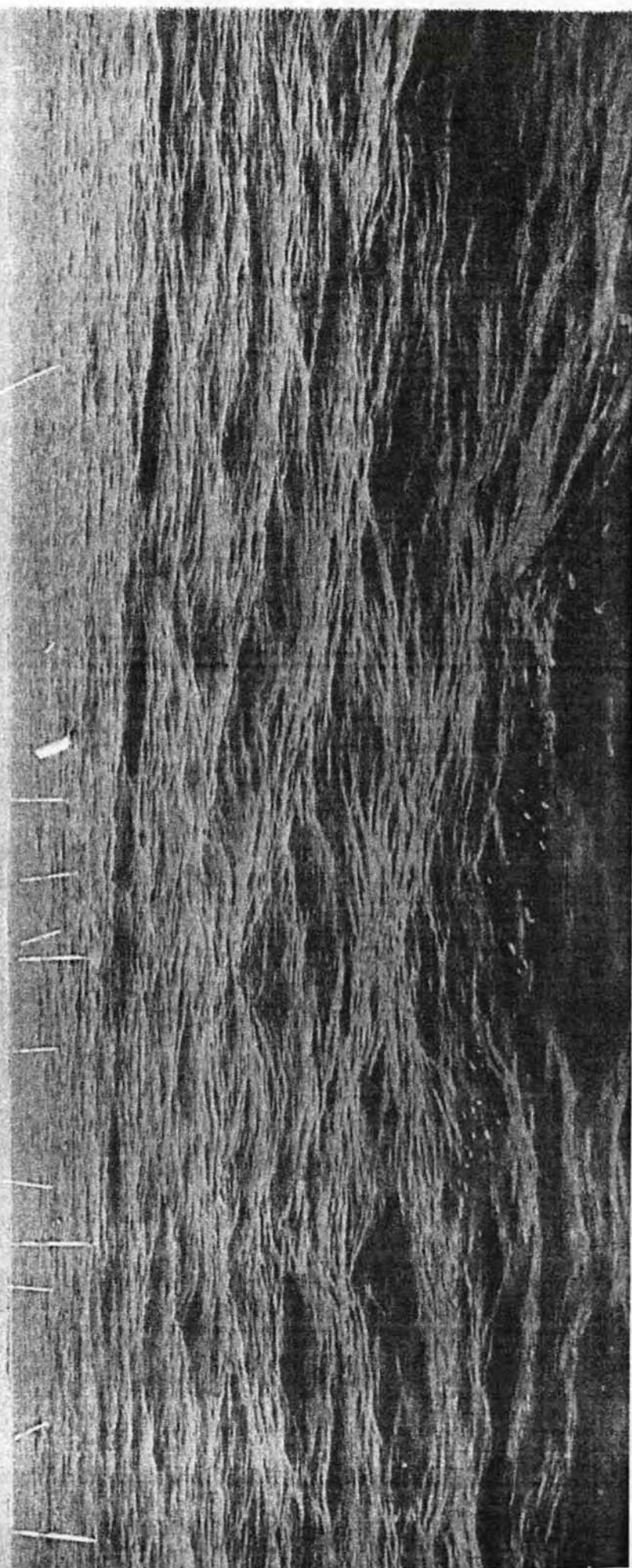
Jules Melanco

# OF POLES 163 PVC 2" PIPE





Body  
Common



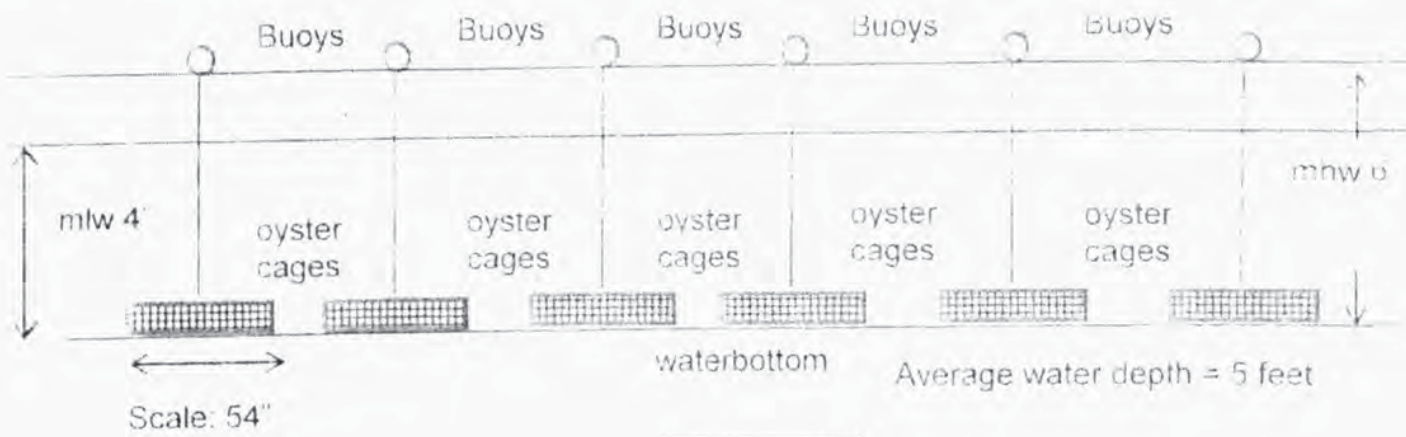


## **STANDARD MANATEE CONDITIONS FOR IN-WATER ACTIVITIES**

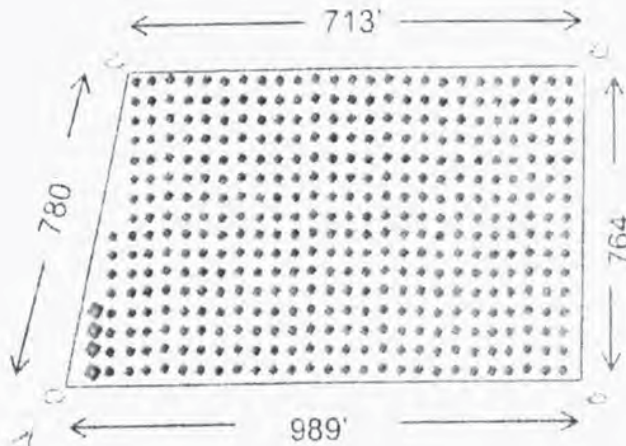
During in-water work in areas that potentially support manatees, all personnel associated with the project shall be instructed and aware of the potential presence of manatees, manatee speed zones, and the need to avoid collisions with, and injury to, manatee. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973. Additionally, personnel shall be instructed not to attempt to feed or otherwise interact with the animal.

All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). To minimize potential impacts to manatees in areas of their potential presence, the permittee shall insure the following are adhered to:

- All work, equipment, and vessel operation shall cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone on its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).
- If a manatee(s) is sighted in or near the project area, all vessels associated with the project shall operate at "no wake/idle" speeds within the construction area and at all times while in waters where the draft of the vessel provides less than a four-foot clearance from the bottom. Vessels shall follow routes of deep water whenever possible.
- If used, siltation or turbidity barriers shall be properly secured, made of material in which manatees cannot become entangled, and be monitored to avoid manatee entrapment or impeding their movement.
- Temporary signs concerning manatees shall be posted prior to and during all in-water project activities and removed upon completion. Each vessel involved in construction activities shall display at the vessel control station or in a prominent location, visible to all employees operating the vessel, a temporary sign at least 8½" X 11" reading language similar to the following: "CAUTION BOATERS: MANATEE AREA/ IDLE SPEED IS REQUIRED IN CONSTRUCTION AREA AND WHERE THERE IS LESS THAN FOUR FOOT BOTTOM CLEARANCE WHEN MANATEE IS PRESENT". A second temporary sign measuring 8½" X 11" shall be posted at a location prominently visible to all personnel engaged in water-related activities and shall read language similar to the following: "CAUTION: MANATEE AREA/ EQUIPMENT MUST BE SHUTDOWN IMMEDIATELY IF A MANATEE COMES WITHIN 50 FEET OF OPERATION".
- Collisions with, injury to, or sightings of manatees shall be immediately reported to the U.S. Fish and Wildlife Service's, Louisiana Ecological Services Office (337/291-3100) and the Louisiana Department of Wildlife and Fisheries, Natural Heritage Program (225/765-2821). Please provide the nature of the call (i.e., report of an incident, manatee sighting, etc.); time of incident/sighting; and the approximate location, including the latitude and longitude coordinates, if possible.



Cross  
Section  
View



Plan View of AOC area of existing  
oyster lease with lines of deployed  
cages.

Total Number of cages = 800

*lighted buoy*



<b>U.S. DEPARTMENT OF HOMELAND SECURITY</b> <b>U.S. COAST GUARD</b> <b>CG-2554 (Rev. 09-05)</b>		<b>PRIVATE AIDS TO NAVIGATION APPLICATION</b> (See attached instructions and copy of Code of Fed. Reg., Title 33, Chap. 1, Part 66)				Form Approved OMB-1825-0011				
NO PRIVATE AID TO NAVIGATION MAY BE AUTHORIZED UNLESS A COMPLETED APPLICATION FORM HAS BEEN RECEIVED (14 U.S.C. 83; 33 C.F.R. 86.01-5).										
1. ACTION REQUESTED FOR PRIVATE AIDS TO NAVIGATION:		<input checked="" type="checkbox"/> A. ESTABLISH AND MAINTAIN		<input type="checkbox"/> B. DISCONTINUE		<input type="checkbox"/> C. CHANGE				
2. DATE ACTION TO START:		May 1, 2016								
3. AIDS WILL BE OPERATED:		<input checked="" type="checkbox"/> A. THROUGHOUT THE YEAR		<input type="checkbox"/> B. TEMPORARILY UNTIL		<input type="checkbox"/> C. ANNUALLY				
4. NECESSITY FOR AID (Continue in Block 6)		Private oyster culture								
5. GENERAL LOCALITY		Barataria Bay								
6. CORPS OF ENGINEERS AUTHORIZED THIS STRUCTURE OR BUOY BY		<input checked="" type="checkbox"/> PERMIT OR <input type="checkbox"/> LETTER (See and date)								
7. APPLICANT WILL FILL IN APPLICABLE REMAINING COLUMNS										
LIGHT LIST NUMBER OR PAGE	NAME OF AID	NO. OR LTR. (7a)	LIGHT		POSITION (7e)	DEPTH OF WATER (7f)	CAN- DLE POWER (7g)	HT. ABOVE WATER (7h)	STRUCTURE TYPE, COLOR, AND HEIGHT ABOVE GROUND (7i)	REMARKS (See instructions) (7j)
			FLASH LGTH. (7c)	COLOR (7d)						
16051	JULES MELANCON AQUACULTURE FARM SPECIAL LIGHTED BUOY A		0.3	2.2	29 18' 7.896" -89 56' 14.851	6'		3'	Buoy, Yellow, 3'	"A" labeled buoy
16051.01	SPECIAL LIGHTED BUOY B		0.3	2.2	29 18' 7.750" -89 56' 6.599"	6'		3'	Buoy, Yellow, 3'	"B" labeled buoy
16051.02	SPECIAL LIGHTED BUOY C		0.3	2.2	29 18' 0.240" -89 56' 6.613"	6'		3'	Buoy, Yellow, 3'	"C" labeled buoy
16051.03	SPECIAL LIGHTED BUOY D		0.3	2.2	29 18' 0.359" -89 56' 17.782"	6'		3'	Buoy, Yellow, 3'	"D" labeled buoy
8. ADDITIONAL COMMENTS YELLOW FLASH CHARACTERISTIC: FLY2.5S, MINIMUM INM VISIBILITY, CG APPROVED MARINE LANTERN.										
APPROVED										
9a. NAME AND ADDRESS OF PERSON IN DIRECT CHARGE OF AID		Jules Melancon, Inc. P.O. Box 198 Grand Isle, LA 70358						10b. THE APPLICANT AGREES TO SAVE THE COAST GUARD HARMLESS WITH RESPECT TO ANY CLAIM OR CLAIMS THAT MAY RESULT ARISING FROM THE ALLEGED NEGLIGENCE OF THE MAINTENANCE OR OPERATION OF THE APPROVED AID(S).		
9b. TELEPHONE NO.		504-628-1913						10c. DATE 3/3/16		
9c. FOR USE BY DISTRICT COMMANDER		CLASSIFICATION OF AIDS I						10d. SIGNATURE AND TITLE OF OFFICIAL SIGNING [Signature]		
SERIAL NO.		11358, 111364, 11365 13/16						DATE APPROVED 3/23/16		

PREVIOUS EDITIONS ARE OBSOLETE

JOE W. VAWTERS, CHIEF  
 PRIVATE AIDS TO NAVIGATION

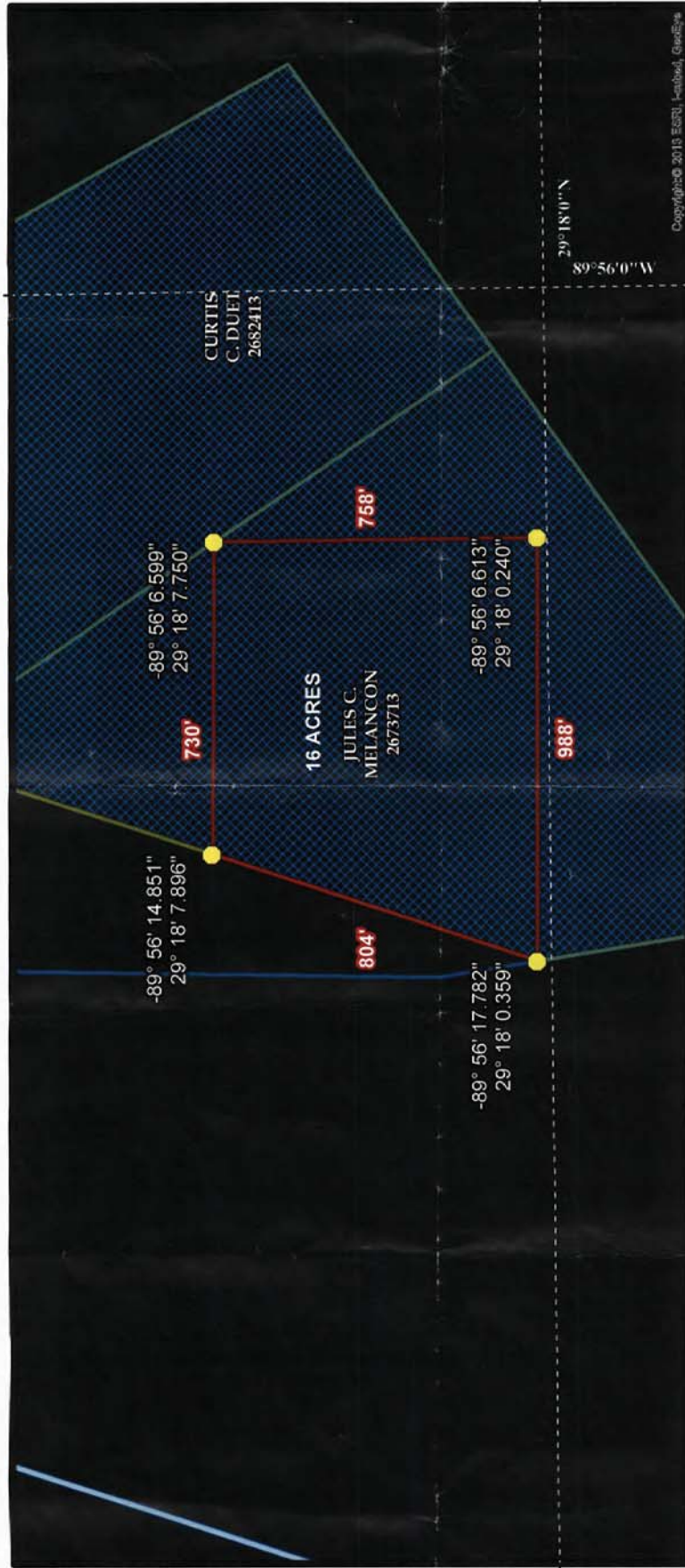
"TO RETAIN THIS APPROVAL YOUR CLASS I PRIVATE AIDS TO  
NAVIGATION MUST BE SELF INSPECTED AND MAINTAINED IN  
ACCORDANCE WITH 33 CFR PART 86. A REPORT SHALL BE MADE  
ANNUALLY TO THE EIGHTH COAST GUARD DISTRICT. WATERWAYS  
BRANCH, PRIVATE AIDS TO NAVIGATION SECTION VIA EMAIL  
TO: D8OANPATON@USCG.MIL OR MAIL TO: EIGHTH COAST GUARD  
DISTRICT (DPW), 500 POYDRAS STREET, NEW ORLEANS, LA 70130."

"ANY CHANGES IN BLOCKS 1 THRU 10 SHALL IMMEDIATELY BE  
REPORTED TO THE EIGHTH COAST GUARD DISTRICT,  
WATERWAYS BRANCH, PRIVATE AIDS TO NAVIGATION SECTION  
VIA EMAIL TO: D8OANPATON@USCG.MIL OR  
MAIL TO: EIGHTH COAST GUARD DISTRICT (DPW),  
500 POYDRAS STREET, NEW ORLEANS, LA 70130."

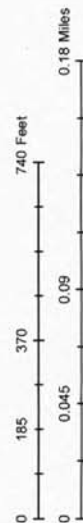
THE UNITED STATES SHALL IN NO CASE BE LIABLE FOR  
ANY DAMAGE OR INJURY TO THE STRUCTURE OR WORK  
HEREIN AUTHORIZED WHICH MAY BE CAUSED BY OR  
RESULT FROM FUTURE OPERATIONS UNDER TAKEN BY  
THE GOVERNMENT FOR THE CONSERVATION OR  
IMPROVEMENT OF NAVIGATION, OR FOR OTHER  
PURPOSES AND NO CLAIM OR RIGHT TO COMPENSATION  
SHALL ACCRUE FROM ANY SUCH DAMAGE.



# Louisiana Department of Wildlife and Fisheries Alternative Oyster Culture Permit Map



Jefferson Parish, Louisiana



- AOC Suitability Layers**
- Coast Guard Buoys
  - Navigable Water Ways
  - AOC Application 20150001
  - Oyster Leases
  - Suitable Areas for AOC





**ALTERNATIVE OYSTER CULTURE  
EQUIPMENT AND FACILITY REMOVAL BOND**

**WHEREAS,** Jules C. Melancon

(Name of AOC Permittee)

("Permittee") has been granted Alternative Oyster Culture ("AOC") Permit No. \_\_\_\_\_ by the Louisiana Department of Wildlife and Fisheries ("Department"), authorizing Permittee to conduct AOC activities as set forth in the Permit, effective through June 17, 2016; and

**WHEREAS,** as a condition of the Permit it is required by Department, and agreed to by Permittee, that Permittee shall remove and properly dispose of all equipment, facilities, and other items used in connection with the Permit within 120 days after termination, cancellation, or expiration of the Permit; and

**WHEREAS,** as a further condition of the Permit it is required by Department, and agreed to by Permittee, that within 15 days after receiving the Permit, Permittee shall post a surety bond with a good and solvent surety, payable to Department, in the amount of Fifteen Thousand and 00/100 DOLLARS (\$ 15,000.00 ), guaranteeing removal and proper disposal of all equipment, facilities, and other items used in connection with the Permit.

**NOW, THEREFORE,** surety SureTec Insurance Company

(Name of Insurance Company)

a Texas company, licensed to and doing business in the State of Louisiana, as Surety, (Name of State) and Permittee, principal, authorized to do and doing business in the State of Louisiana, are held and firmly bound jointly, severally, and in solido unto and in favor of Department, or its successor in office, in the full sum of Fifteen Thousand and 00/100 DOLLARS (\$ 15,000.00 ), for the removal and proper disposal of all equipment, facilities, and other items used in connection with the Permit, or alternatively, at the election of the Department, for the use and benefit of the State of Louisiana for the removal and proper disposal of all equipment, facilities, and other items used in connection with the Permit.

Surety specifically agrees that the foregoing obligations shall remain in full force and effect until removal and proper disposal of all equipment, facilities, and other items used in connection with the Permit.

This bond may be terminated as to future acts only of Permittee upon 30 days prior written notice by Surety, said notice to be delivered to the Secretary, Department of Wildlife and Fisheries, by certified mail; otherwise, to remain in full force and effect until such time as all equipment, facilities, and other items used in connection with the Permit have been removed.

It is specifically agreed by the parties hereto that the exclusive jurisdiction and venue for any legal action brought against, or relating to, this surety bond, shall be at the domicile of the

Louisiana Department of Wildlife and Fisheries, East Baton Rouge Parish, Louisiana, and such actions must be brought exclusively in the Louisiana District Court for the 19th Judicial District.

We, therefore, bind ourselves, our heirs, executors, and administrators, firmly by these presents on this 17th day of June, 2016.

**WITNESSES:**

**Date:** June 17, 2016

Melanie S. Melancon  
(Signature)  
Melanie S. Melancon  
(Print Name)

Jules C. Melancon

**PERMITTEE**  
**BY:** Jules C. Melancon  
(Print Name)  
OWNER  
(Title)

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Print Name)

**WITNESSES:**

**Date:** June 17, 2016

Courtney Pastorick  
(Signature)  
Courtney Pastorick  
(Print Name)  
\_\_\_\_\_  
(Signature)  
Cathy Turner  
(Print Name)

SureTec Insurance Company

**INSURANCE COMPANY**  
**BY:** Meghann C. Turner  
(Print Name)  
Meghann C. Turner, Attorney-in-Fact  
(Title)



# SureTec Insurance Company

## LIMITED POWER OF ATTORNEY

**Know All Men by These Presents**, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Mary Catherine Turner, Meghann C. Turner, Garrett Turner

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for:

Five Million Dollars and no/100 (\$5,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment shall continue in force until 12/31/2016 and is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20<sup>th</sup> of April, 1999.)

**In Witness Whereof**, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 21st day of March, A.D. 2013.

SURETEC INSURANCE COMPANY

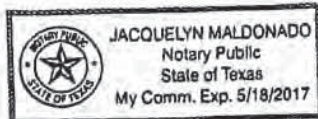
By: John Knox Jr., President

State of Texas  
County of Harris

SS:



On this 21st day of March, A.D. 2013 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



Jacquelyn Maldonado, Notary Public  
My commission expires May 18, 2017

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 17<sup>th</sup> day of June, 2016, A.D.

M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.  
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:00 am and 5:00 pm CST.